


EXECUTIVE SECRETARIAT
ROUTING SLIP

TO:

		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI		X		
3	EXDIR				
4	D/ICS		X		
5	DDI		X		
6	DDA				
7	DDO				
8	DDS&T				
9	Chm/NIC				
10	GC	X			
11	IG				
12	Compt				
13	D/Pers				
14	D/OLL				
15	D/PAO				
16	SA/IA				
17	AO/DCI				
18	C/IPD/OIS				
19	C/TTAC		X		
20					
21					
22					
SUSPENSE		17 August <small>Date</small>			

Remarks

(Attached forwarded by OMB to DCI,
Attn: Mr. Sporkin.) Please coordinate
with C/TTAC/OSWR/DDI and clear response
with DDCI.


Executive Secretary

9 August 1984

Date

3637 (10-81)



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

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August 7, 1984

Executive Registry

84-4026/4

LOGGED
10 AUG 1984

Honorable William J. Casey
Director
Central Intelligence Agency
Washington, D.C. 20505

Dear Mr. Casey:

Enclosed is a proposed Executive order entitled "Exercise of Authority Over Commercial Launches."

In accordance with the provisions of Executive Order No. 11030, as amended, it was submitted to this office, along with the enclosed transmittal memorandum, by the Department of Transportation.

On behalf of the Director of the Office of Management and Budget, I would appreciate receiving any comments you may have concerning this proposal. If you have any comments or objections they should be received no later than Tuesday, August 21, 1984.

Comments or inquiries may be submitted by telephone to Mr. John F. Cooney of this office (395-5600).

Sincerely,

Michael J. Horowitz
Counsel to the Director

Enclosure

EXLC
REG



**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

400 Seventh St., S.W.
Washington, D.C. 20590

The Honorable Joseph R. Wright
Deputy Director, Office of Management
and Budget
Washington, D. C. 20503

Dear Joe:

As a follow-up to the July 17 Cabinet Council meeting and our telephone conversation, I am enclosing a copy of an Executive Order designed to transfer ITAR authority over commercial space launches from the Department of State to the Department of Transportation. As you are aware, we recently completed extensive discussions with the Department of State to effect the transfer of this authority and we look forward to expeditious OMB review and coordination of the enclosed document. We believe that the Executive Order will fulfill the President's objectives to redelegate this authority in the near term.

It is my understanding that Senator Tribble will be sending draft legislation to the Department early next week for review and comment. Consistent with the President's endorsement of the Commercial Space Initiatives discussed in last week's meeting of the Cabinet Council, DOT supports legislation which would establish a permanent licensing procedure to replace ITAR for commercial space launches. We agree, as previously discussed, that appropriately drafted legislation would greatly simplify regulation of private space launch operations on a permanent basis. We will provide our comments on this bill for your review and coordination promptly.

Both the Department of State and the Department of Transportation believe that handling of these two actions will enable the federal government to carry out its public safety, national security, and international obligations in the most responsive manner.

I appreciate your willingness to expedite review of the Executive Order. It will greatly enhance our ability to obtain legislation supported by the Administration in this session of Congress.

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I look forward to your comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer L. Dorn", with a long horizontal line extending to the right.

Jennifer L. Dorn, Director
Office of Commercial Space
Transportation

Enclosure

EXECUTIVE ORDER

EXERCISE OF AUTHORITY OVER COMMERCIAL LAUNCHES

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 621 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2381), and section 301 of Title 3 of the United States Code, and in order to delegate certain functions concerning the launch of commercial launch vehicles and their payloads, it is hereby ordered as follows:

Section 1. Executive Order 11958, as amended, is hereby further amended to add the following new subsection to section (1):

"(4) to the Secretary of Transportation, to carry out on behalf of the Secretary of State, to the extent such functions apply to the launch into space of any commercial launch vehicle and payload, as defined in Category VIII of the U.S. Munitions List, from the United States, its territories and possessions, and its territorial waters, and from international waters using vessels documented under the laws of the United States. In carrying out such functions, the Secretary of Transportation shall obtain the concurrence of the Secretary of State in accordance with section 2 of the Arms Export Control Act. The Secretary of State will retain responsibility for licensing export of technical data and for functions other than the launch function specifically delegated to the Secretary of Transportation under this order."